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**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

Reyna Dempsey, individually, on behalf of
others similarly situated, and on behalf of the
general public,

Plaintiff,

v.

Government Employees Insurance
Company, United Healthcare Services, Inc.,
and DOES 1 through 10, inclusive,

Defendants.

Case No. 5:24-cv-00425-EJD

**JOINT STIPULATION AND
[PROPOSED] ORDER ENLARGING
BRIEFING SCHEDULE**

Judge: Hon. Edward J. Davila
Courtroom: 4—5th Floor

1 Pursuant to Local Rules 6-1(b), 6-2, and 7-12, Plaintiff Reyna Dempsey, individually, on
2 behalf of others similarly situated, and on behalf of the general public (“Plaintiff”), and
3 Defendants Government Employees Insurance Company (“GEICO”) and United Healthcare
4 Services, Inc. (“United”, and all together the “Parties”), by and through their respective counsel,
5 hereby agree and stipulate that:

6 WHEREAS, Plaintiff filed her initial complaint on January 24, 2024, against Defendant
7 GEICO and Defendants United Healthcare Services, Inc. and UnitedHealth Group, Incorporated
8 (Dkt. 1);

9 WHEREAS, on February 22, 2024, pursuant to Local Rule 6-1(a), Plaintiff and
10 Defendants United Healthcare Services, Inc. and UnitedHealth Group, Incorporated stipulated
11 and agreed to extend the defendants’ deadline to respond to the initial complaint to March 25,
12 2024 (Dkt. 20);

13 WHEREAS, on February 27, 2024, pursuant to Local Rule 6-1(a), Plaintiff and Defendant
14 GEICO stipulated and agreed to extend Defendant GEICO’s deadline to respond to the initial
15 complaint to March 15, 2024 (Dkt. 23);

16 WHEREAS, on March 14, 2024, pursuant to Local Rule 6-1(a), Plaintiff and Defendant
17 GEICO and Defendants United Healthcare Services, Inc. and UnitedHealth Group, Incorporated
18 stipulated and agreed that all defendants would have until April 25, 2024, to respond to the
19 Complaint (Dkt. 24);

20 WHEREAS, the defendants filed motions to dismiss the initial complaint on April 25,
21 2024 (Dkts. 26, 30);

22 WHEREAS, the parties filed a joint stipulation to enlarge the briefing schedule on May 3,
23 2024 (Dkt. 35), which this Court granted (as modified) on May 6, 2024 (Dkt. 38). Plaintiff’s
24 response(s) to the pending motions to dismiss the initial complaint became due on June 6, 2024,
25 and all defendants had until June 20, 2024, to file their replies in support of the motions to
26 dismiss. (Dkt 38.)

27 WHEREAS, on June 6, 2024, Plaintiff filed a First Amended Complaint (“FAC”) against
28 Defendant GEICO and Defendant United Healthcare Services, Inc. (hereinafter, “Defendants”).

(Dkt. 42.) On the same day, the Court terminated as moot the motions to dismiss the initial complaint, and Defendants' responses to the FAC became due June 27, 2024. (Dkts. 44, 45.)

WHEREAS, Defendants filed separate motions to dismiss on June 27, 2024, along with supporting declarations and requests for judicial notice. (Dkts. 46, 47, 48.)

WHEREAS, Plaintiff's response(s) to the pending motions to dismiss are now due July 11, 2024, and the replies to the motions to dismiss are now due July 18, 2024. (Dkts. 46, 47.)

WHEREAS, the motion to dismiss hearing is set for October 10, 2024. (Dkts. 46, 47.)

WHEREAS, after meeting and conferring, Defendants have agreed that the time for Plaintiff to respond to the two pending motions to dismiss and requests for judicial notice, currently set for July 11, 2024, should be extended to August 15, 2024; and

WHEREAS, after meeting and conferring, Plaintiff has agreed that the time for Defendants to reply to their respective motions to dismiss and requests for judicial notice, currently set for July 18, 2024, should be extended to September 12, 2024;

WHEREAS, due to the July holiday and an upcoming trial of Plaintiffs' counsel, the Parties agree there is good cause to extend the briefing schedule as requested herein;

WHEREAS, this extension will not impact the October 10, 2024, hearing date fixed by the Court (or another hearing date that is convenient for the Court) and Alternative Dispute Resolution deadlines;

WHEREAS, this extension still allows for 28 days between the final filing on September 12, 2024, and the hearing date set for October 10, 2024 (or another hearing date that is convenient for the Court);

WHEREAS, other than joint stipulations to extend the deadline to respond to Plaintiff's initial complaint (Dkts. 20, 23, 24) and to set a briefing schedule (Dkts. 24 [not entered by the Court], 35 [granted by the Court in Dkt. 38]), there have been no other requests to modify deadlines in this case;

WHEREAS, Civil Local Rule 6-1(b) provides that "[a] Court order is required for any enlargement or shortening of time that alters an event or deadline already fixed by Court order or that involves papers required to be filed or lodged with the Court (other than an initial response to

the complaint)”, and a “request for a Court order enlarging or shortening time may be made by written stipulation pursuant to Civil L.R. 6-2”;

NOW, THEREFORE, pursuant to Civil Local Rules 6-1(b), 6-2, and 7-12, the Court’s Civil Standing Order, and based on the accompanying Declaration of Jasjit K. Mundh, the Parties hereby stipulate and request the Court approve the following deadlines:

1. Plaintiff shall have until August 15, 2024, to file her responses to Defendants’ respective motions to dismiss and supporting requests;
2. Defendants shall have until September 12, 2024, to file their replies in support of their respective motions to dismiss and supporting requests.

Dated: July 8, 2024

Respectfully submitted,

NICHOLS KASTER, LLP

By: /s/ Matthew Helland
Matthew Helland

Attorneys for Plaintiff Reyna Dempsey

Dated: July 8, 2024

Respectfully submitted,

GIBSON DUNN

By: /s/ Jennafer M. Tryck
Jennafer M. Tryck

Attorneys for United Healthcare Services, Inc. and
United Health Group Incorporated

Dated: July 8, 2024

Respectfully submitted,

MORGAN, LEWIS, & BOCKIUS, LLP

By: /s/ Chloe Keating Leigh
Chloe Keating Leigh


Attorneys for Defendant
Government Employees Insurance Company

~~PROPOSED~~ ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED: (1) Plaintiff shall have until August 15, 2024, to file her responses to Defendants' respective motions to dismiss the First Amended Complaint and supporting requests; and (2) Defendants shall have until September 12, 2024, to file replies in support of their respective motions to dismiss the First Amended Complaint and supporting requests.

IT IS SO ORDERED.

Dated: July 9, 2024


THE HONORABLE EDWARD J. DAVILA
UNITED STATES DISTRICT COURT JUDGE